

# Part 5349 - Termination of Contracts

DAFFARS PART 5349 Knowledge Center

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Subpart 5349.1 - GENERAL PRINCIPLES

5349.101 Authorities and Responsibilities

5349.102 Notification of Termination

Subpart 5349.4 - TERMINATION FOR DEFAULT

5349.402-3 Procedure for Default

5349.402-6 Repurchase Against Contractor's Account

Subpart 5349.5 - CONTRACT TERMINATION CLAUSES

5349.501-70 Special Termination Costs

Subpart 5349.70 - SPECIAL TERMINATION REQUIREMENTS

5349.7001 Congressional Notification on Significant Contract Terminations

5349.7003 Notification of Anticipated Terminations or Reductions

## **Subpart 5349.1 - GENERAL PRINCIPLES**

### **5349.101 Authorities and Responsibilities**

(b) The SCO or command-appointed termination contracting officer (TCO) must approve a termination for default or cause prior to a contracting officer taking the action. When requesting approval, the contracting officer must provide all relevant documents to include a chronology of key events, cure/show cause notices and responses thereto.

### **5349.102 Notification of Termination**

See the tailorable Termination Authority template.

## **Subpart 5349.4 - TERMINATION FOR DEFAULT**

### **5349.402-3 Procedure for Default**

(f) Prior to making a final decision concerning termination for default, the contracting officer must forward the termination notice and the complete contract file to AF/JACQ with a copy of the termination notice to SAF/GCR and follow the procedures in DAFFARS [5333.290 Claims and Terminations for Default\(b\)](#).

### **5349.402-6 Repurchase Against Contractor's Account**

(c) The contracting officer must provide copies of assessments of excess procurement costs through the SCO to [AF/JACQ](#).

## **Subpart 5349.5 - CONTRACT TERMINATION CLAUSES**

### **5349.501-70 Special Termination Costs**

(a) See [MP 5349.501-70 Special Termination Costs\(a\)](#). Submit requests to include DFARS clause [252.249-7000](#), Special Termination Costs through the cognizant HCA to SAF/AQC for SAF/FMB approval.

## **Subpart 5349.70 - SPECIAL TERMINATION REQUIREMENTS**

### **5349.7001 Congressional Notification on Significant Contract Terminations**

The contracting officer must submit the proposed Congressional notification through the SCO to [cognizant HCA workflow](#) at least five workdays before the proposed termination date. The cognizant HCA action officer will forward the information to [SAF/LLW](#). The contracting officer must not release the termination notice until Congress has been notified (see [MP5349.7001 Congressional Notification on Significant Contract Terminations](#) ).

### **5349.7003 Notification of Anticipated Terminations or Reductions**

(b)(2)(i) The contracting officer must submit the draft notification through the SCO to the [cognizant HCA Workflow](#) as soon as the proposed termination/reduction is known. The cognizant HCA will forward the notification to SAF/AQ or SAF/SQ for signature (see [MP5349.7003 Notification of Anticipated Terminations or Reductions](#) ).